

NOV 17 2003
PATENT & TRADEMARK

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

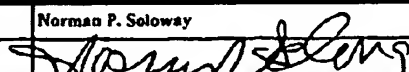
Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/091,776
Filing Date	March 5, 2002
First Named Inventor	KIMURA
Art Unit	2816
Examiner Name	ENGLUND, TERRY LEE
Attorney Docket Number	NEC NEG-244

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.


1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- ii. ☐ Other
- b. ☒ Enclosed
- i. ☒ Amendment/Reply iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/Declaration(s) iv. ☐ Other
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 11-16/2003-N5EBREM1 00000165 10091776
- i. ☐ RCE fee required under 37 CFR 1.17(e) 770.00 CP
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 86.00 CP
- iii. ☐ Other 02 FC:1201
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☒ Payment by credit card (Form PTO-2038 enclosed)
- WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	Norman P. Soloway	Registration No. (Attorney / Agent)	24,315
Signature		Date	November 12, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Najet Mishalanie	Date	November 12, 2003
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. Of: KIMURA
Serial No.: 10/091,776
Filed: March 5, 2002
For: CMOS REFERENCE VOLTAGE CIRCUIT
Group: 2816
Examiner: TERRY LEE ENGLUND DOCKET: NEC NEG-244

MAIL STOP 16
Director of the US Patent and Trademark Office
PO Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND

Dear Sir:

This is a request for a refund with respect to the charge in error of \$344.00 to Deposit Account No. 08-1391 on November 28, 2003 for the above-identified Patent Application. A copy of the November 28, 2003 Monthly Statement in which the error occurred is enclosed.

We submitted Amendment B with RCE to the Patent Office under Certificate of Mailing dated November 12, 2003. Prior to Amendment B, our claim count was 27 claims, 15 of which were independent. Per Amendment B, we canceled four claims, two of which were independent claims (claims 1 and 16), and added four new claims, three of which were independent claims (claims 28, 30 and 31). The resulting claim count per Amendment B is 27 claims, 16 of which are independent, leaving only one independent claim requiring payment.

Our submission included a PTO-2038 in the amount of \$856.00: \$770.00 in payment of the RCE fee and \$86.00 in payment of the one additional independent claim. Our American

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Express card was charged \$770.00 and \$86.00 on November 18, 2003 (a copy of the American Express charges is enclosed).

Upon review of the file by telephone, Annette V. Smith in Group 2800 agreed with our staff that the charge to the Deposit Account was made in error. The credit card payments of \$770.00 for the RCE and \$86.00 for one additional independent claim, totaling \$856.00 charged, were correct.

Please credit Deposit Account No. 08-1391 in the amount of \$344.00.

Respectfully submitted,



Norman P. Soloway
Attorney for Applicants
Reg. No. 24,315

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP 16, Director of the U.S. Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450 on February 10, 2004 at Tucson, Arizona.

By: 

NPS/KMD:nm

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HAYES SOLOWAY P.C.
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Account No.	081391
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11	13	03	142	29190430	MAX 03.01 DES	8021	40.00	5195.00
11	20	03	184	09632697	BT100.01B	1402	165.00	5030.00
11	26	03	2	09791530	NEC 00FN075	1201	86.00	4944.00
11	26	03	3	09791530	NEC 00FN075	1251	110.00	4834.00
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